

Before the
Federal Communications Commission
Washington, D.C. 20554

2000 DEC 22 P 1:52

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
FM Table of Allotments,)	
FM Broadcast Stations.)	
(Heber, Arizona))	MM Docket No. 00-189 ✓
)	RM-9984
)	
(Snowflake, Arizona))	MM Docket No. 00-190
)	RM-9985
)	
(Overgaard, Arizona))	MM Docket No. 00-191
)	RM-9986
)	
(Taylor, Arizona))	MM Docket No. 00-192
)	RM-9987

FILED

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 13, 2000

Released: December 22, 2000

By the Chief, Allocations Branch:

1. Before the Allocations Branch for consideration is a multiple docket *Notice of Proposed Rule Making*¹ setting forth four separate proposals to amend the FM Table of Allotments, Section 73.202(b) of the Rules to allot new channels in four separate localities. Each proposal will provide a first local transmission service at the proposed community. The petitioner in each proposal, New Directions Media, Inc. ("petitioner") filed comments reiterating its interest in filing an application for construction permit at each locality and bid at auction if the channel is allotted. It also filed comments as requested giving additional information with respect to the community status of each proposed community. We received no other comments or counterproposals.

2. This is a multiple docket proceeding initiated in response to a Commission *Public Notice* released October 2, 1998 (DA 98-1987). We are combining separate FM allotment proposals into a single *Report and Order*. Each proposal has its own docket and rule making number and the Commission's Reference Center has maintained a separate file for each docket. As discussed in the *Public Notice*, this procedure will conserve Commission resources and expedite the processing of FM allotment petitions for rule making by avoiding duplicative actions. We discuss below the following proposals:

A. MM Docket No. 00-189 RM-9984

¹ See 65 FR 64924 (October 31, 2000).

Petitioner: New Directions Media, Inc.
Robert D. Zellmer, President
P.O. Box 1643
Greeley, CO 80632

Determination: Allot Channel 288C2 at Heber, Arizona, as the community's first local transmission service.

Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective February 5, 2001, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Heber, Arizona	288C2

Coordinates: 34-25-53 NL and 110-35-36 WL

Additional Information: In support of its proposal, petitioner states that the community of Heber has a 1990 U.S. Census population of 950 persons. In its comments, petitioner submitted additional information to establish that Heber, Arizona is a community for allotment purposes. This information establishes Heber's community status for allotment purposes. Channel 288C2 can be allotted at Heber without a site restriction.

FCC Contact: Victoria M. McCauley, Mass Media Bureau (202) 418-2180.

B. MM Docket No. 00-190 RM-9985

Petitioner: New Directions Media, Inc.
Robert D. Zellmer, President
P.O. Box 1643
Greeley, CO 80632

Determination: Allot Channel 258C2 at Snowflake, Arizona as the community's first local transmission service.

Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective February 5, 2001, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Snowflake, Arizona	258C2

Coordinates: 34-30-48 NL and 110-04-40 WL

Additional Information: In support of its proposal, petitioner states that the community of Snowflake has a 1990 U.S. Census population of 3,679 persons. Petitioner submitted additional information to establish

that Snowflake, Arizona is a community for allotment purposes. This information showed that Snowflake, founded in 1878, is an incorporated town with an elected mayor and six-member city council. It has its own zip code and post office and police and fire protection and its own school system. It also has numerous businesses, including a 400 acre industrial park. We believe that Snowflake is a community for allotment purposes and that an allotment there would serve the public interest. Channel 258C2 can be allotted at Snowflake without a site restriction.

FCC Contact: Victoria M. McCauley, Mass Media Bureau (202) 418-2180.

C. MM Docket No. 00-191 RM-9986

Petitioner: New Directions Media, Inc.
Robert D. Zellmer, President
P.O. Box 1643
Greeley, CO 80632

Determination: Allot Channel 232C3 at Overgaard, Arizona, as the community's first local transmission service.

Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective February 5, 2001, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Overgaard, Arizona	232C3

Coordinates: 34-23-27 NL and 110-33-04 WL

Additional Information: In support of its proposal, petitioner states that the community of Overgaard has a 1990 U.S. Census population of 900 persons. In its comments, petitioner submitted additional information to establish that Overgaard, Arizona is a community for allotment purposes. This information sufficiently establishes that Overgaard is a community for allotment purposes. Channel 232C3 can be allotted at Overgaard without a site restriction.

FCC Contact: Victoria M. McCauley (202) 418-2180.

D. MM Docket No. 00-192 RM- 9987

Petitioner: New Directions Media, Inc.
Robert D. Zellmer, President
P.O. Box 1643
Greeley, CO 80632

Determination: Allot Channel 278C3 at Taylor, Arizona, as the community's first local transmission service.

Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the

Commission's Rules, IT IS ORDERED, That effective February 5, 2001, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Taylor, Arizona	278C3

Coordinates: 34-27-54 NL and 110-05-26 WL

Additional Information: In support of its proposal, petitioner states that the community of Taylor has a U.S. Census population of 2,418 persons. Petitioner submitted additional information to establish that Taylor, Arizona is a community for allotment purposes. Channel 278C3 can be allotted at Taylor without a site restriction.

FCC Contact: Victoria M. McCauley (202) 418-2180.

3. A window period for filing applications for these allotments will not be opened at this time. Instead, the Commission will address the issue of opening a filing window for these allotments in a subsequent *Order*.

4. IT IS FURTHER ORDERED That the above proceedings ARE TERMINATED.

5. For further information concerning a specific docket, contact the FCC contact person listed above for that docket. Questions related to the application filing process should be addressed to the Audio Services Division, Mass Media Bureau (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau